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General and complete disarmament: regional disarmament; conventional arms control at the regional and subregional levels; transparency in armaments

Letter dated 10 May 2002 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the texts of the Joint Declaration and the Document on confidence- and security-building measures in the naval field in the Black Sea, adopted by the Republic of Bulgaria, Georgia, Romania, the Russian Federation, the Republic of Turkey and Ukraine in Kyev on 25 April 2002 (see annexes).

I should be grateful if this letter and its annexes were circulated as a document of the fifty-seventh session of the General Assembly, under agenda items 67 (m), (n), and (r) of the preliminary list.

(*Signed*) Valery **Kuchinsky**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Ukraine to the United Nations

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Annex I

Joint declaration of the Republic of Bulgaria, Georgia, Romania, the Russian Federation, the Republic of Turkey and Ukraine

The Black Sea Coastal States - the Republic of Bulgaria, Georgia. Romania, the Russian Federation, the Republic of Turkey and Ukraine,

- recognizing the important role of the Black Sea Coastal States and their special responsibility in promoting peace, security and stability in the Black Sea region, which is linked directly to European, as well as to international security,

- acknowledging the specific characteristics of the Black Sea and affirming that the Document on confidence- and security-building measures in the naval field in the Black Sea is of regional character and is not relevant to other international arrangements and initiatives,

- affirming that the provisions of the Document on confidence- and security-building measures in the naval field in the Black Sea are neither directed against the security interest of any State nor intended to affect in any way the freedom of navigation or naval activities of any State in the Black Sea,

- having in mind their commitments undertaken within the framework of the Organization for Security and Co-operation in Europe,

- in fulfillment of the Guidelines for the conduct of negotiations on confidence- and security-building measures (CSBM) in the naval field in the Black Sea agreed on 23 February 1998 in Vienna,

have conducted from 1998 to 2001 the negotiations on CSBM in naval field in the Black Sea and

have adopted the **Document on confidence- and security-building measures in the naval field in the Black Sea** (enclosed), which is politically binding and can be further enriched with measures aimed at contributing to enhancing regional security and stability and fostering good neighborly relations and co-operation.

The Document on confidence- and security-building measures in the naval field in the Black Sea will be implemented starting with 1 January 2003.

Annex II

Document on confidence- and security-building measures in the naval field in the Black Sea

PREAMBLE

(1) The Black Sea Coastal States: the Republic of Bulgaria, Georgia, Romania, the Russian Federation, the Republic of Turkey and Ukraine, hereinafter referred to as the Participating States,

(2) Taking into account the important role of the Black Sea Coastal States and their special responsibility in promoting peace, security and co-operation in the Black Sea,

(3) Conscious of the importance and benefits of regional confidence- and security-building measures, including in the Black Sea area, which is linked directly to European, as well as to international security,

(4) Determined strictly to abide in their relations by the purposes and principles of the United Nations Charter regarding, inter alia, the sovereignty, territorial integrity and inviolability of borders of States,

(5) Keeping in mind their commitments undertaken within the framework of the Organization for Security and Co-operation in Europe,

(6) Reaffirming the inherent right of each Participating State to be free to choose or change its security arrangements, including treaties of alliance, as they evolve, while respecting the rights of all others in this regard,

(7) Confirming their full compliance with the principle of freedom of international navigation, and their obligations under the Montreux Convention of 1936 and other international instruments relating to the law of sea, to which they are parties,

(8) Affirming that provisions of this Document are neither directed against the security interests of any State nor intended to affect in any way the freedom of navigation or naval activities of any State in the Black Sea, are not applicable to naval activities, which the Participating States conduct jointly with third States, and do not affect other international agreements or political documents concluded by the Participating States or their official position in the negotiations of such agreements or documents,

(9) Having in mind that measures contained in this Document should not prejudice the domestic law and rules of the Black Sea Coastal States in the field of security of sea lines of communication and of maritime activities,

(10) Acknowledging the specific characteristics of the Black Sea and affirming that this initiative is of a stand alone regional character and is not relevant to other international arrangements and initiatives,

(11) Have adopted this Document, which is politically binding and can be further enriched with measures aimed at contributing to enhancing regional security and stability and fostering good neighbourly relations and co-operation.

I. CO-OPERATION IN THE NAVAL FIELD

(12) To improve further their mutual relations in the interest of strengthening the process of confidence- and security-building in the Black Sea, the Participating States will, on a voluntary basis and as appropriate, promote and facilitate, inter alia:

(12.1) - establishing appropriate communication channels between the Navy Commanders of the Participating States;

(12.2) - exchange of navigation, hydrographical and meteorological information;

(12.3) - exchange of information on ecological problems, including for preventing ecological disasters and disaster relief, as well as, conducting mutual exercises and joint training in this field;

(12.4) - educational activities, such as seminars and conferences for naval officers and petty officers ;

(12.5) - providing navy personnel with emergency medical service and recreation activities on the basis of reciprocity;

(12.6) - co-operation in combating terrorism and in meeting other risks and challenges to security, including by providing support, as appropriate, in the fight against organized crime, drug trafficking, illegal arms trafficking, illegal fishing etc;

(12.7) - exploring ways to further develop co-operation in the field of search and rescue;

(12.8) - taking into consideration the intense fishing and navigation areas in planning naval exercises;

(12.9) - endeavoring to avoid interfering with smooth shipping and air traffic as ensured in accordance with international law, international instruments, rules and regulations, as well as naval customs and courtesy, in order to contribute to the elimination of unwarranted tension and to reduce the risk of collision;

(12.10) - avoiding actions which may be seen as threatening, posing risk or be hazardous for the ships or personnel of the other Participating States or hamper their activities.

II. CONTACTS IN THE NAVAL FIELD

(13) To improve further their mutual relations in the interest of strengthening the process of confidence- and security-building in the Black Sea, the Participating States will, on a voluntary basis and as appropriate, promote and facilitate, inter alia:

(13.1) - exchange of visits between naval experts and officers at all levels;

(13.2) - contacts between relevant naval institutions;

(13.3) - invitations of ships to ports or naval bases or auxiliary naval bases of the Participating States ;

(13.4) - exchange programs for naval officers and petty officers;

(13.5) - sports and cultural events with the participation of the naval personnel.

III. INVITATIONS TO NAVAL BASES

(14) Each Participating State will invite every six years representatives of all other Participating States to one of its naval bases or auxiliary naval bases* within the zone of application in order to familiarize with its functions and activities.

These invitations may be submitted also in the context of measures set forth in Article V of this Document.

(15) When the naval base or auxiliary naval base of an inviting Participating State is located on the territory of another Participating State, the invitations will be issued by the Participating State on whose territory the naval or auxiliary base is located (Host Participating State). In such cases, the responsibilities as host delegated by this Participating State to the Participating State arranging the event will be specified in the invitation.

(16) Program, number of invitees and all other modalities regarding the event, will be at the discretion of the Participating State arranging the event, agreed, if applicable, with the Host Participating State.

(17) The invited Participating State will decide whether to send military and/or civilian personnel to take part in the event.

* A sea port which has military facilities providing logistical support for naval forces within the area of application.

(18) The invitees will follow the safety and other instructions issued by the Participating State arranging the event.

(19) The Participating State arranging the event will on the basis of reciprocity cover expenses for board and lodging for the period of the visit indicated in its program as well as for transportation from and to the place of assembly announced in the invitation.

(20) The invited Participating State will be responsible for travel expenses to and from the point(s) of entry/exit.

IV. EXCHANGE OF NAVAL INFORMATION

(21) The Participating States will exchange information on aggregate number of surface combat ships with fully loaded displacement of 400 tons and above, submarines with submerged displacement of 50 tons and above, amphibious ships and peacetime authorized naval personnel strength that they have deployed within the zone of application. This information will be provided not later than 30 April of each year and will be valid as of 1 May of that year.

The Participating States will, as an act of sovereign decision, also provide no later than 1st January of each year available information on their two largest annually planned national naval activities within the zone of application, such as the start and end dates, general purpose and area of activities, number of combat ships, and, if applicable, the total number of troops involved. The Participating States will update this information as needed.

V. CONFIDENCE ANNUAL NAVAL EXERCISES

(22) In the spirit of achieving security through cooperation each Participating State, on the basis of annual rotation in English alphabetical order, will designate one of its national naval exercises as Confidence Annual Naval Exercise (CANE) and will invite naval representatives and/or units from all other Participating States for participation in it and in related activities.

(23) At the discretion of the Host Participating State, the national exercise designated as CANE can be either at operational or tactical level and will have up to 6 days of duration. It will be held under the command of the respective high-level officer of the Naval Forces of the Host Participating State.

(24) Participation of invited states in the CANE will be limited to maximum 2 or 3 ships and/or one/two senior officers. It will be a sovereign decision of each invited Participating State whether to participate in the CANE and in what way.

(25) The general purpose, type, area and dates of the CANE as well as the recommended maximum level and size of the participation of each Participating State will be communicated by the Host Participating State to the other Participating States no later than 31 October of the calendar year preceding the one in which the CANE will be held. The invited Participating States will inform the Host Participating State whether they wish to participate in the CANE no later than 15 December of the same year. Each Participating State confirming its participation will also specify to the Host Participating State the modalities, in terms of personnel and equipment, of its intended participation in the CANE.

(26) The Host Participating State will organize no less than two planning conferences with the aim to develop an operational plan for the CANE and will invite representatives from all other Participating States to these conferences. The planning conferences will agree on an ad hoc basis on the modalities for participation including costs of invited countries in each Confidence Annual Naval Exercise.

(27) A concluding conference will be held in the Host Participating State on the last day of the CANE.

(28) The cost for the organization of the planning conferences and the concluding conference will be borne by the Host Participating State. Participants from invited Participating States will assume their travel, board and lodging costs.

(29) The Participating States will be responsible for the costs of their participation in the Confidence Annual Naval Exercise.

(30) In case that a crime/contravention and/or damages against or produced by the ships or personnel of the Participating States occurs, the law of the Host Participating State will be applicable. If such case appears in high seas the "flag law" will be applicable.

(31) If a Participating State has difficulties in organizing CANE it can pass its turn by mutual agreement to another Participating State.

VI. OTHER PROVISIONS

ZONE OF APPLICATION

(32) The agreed measures will be applicable to the territorial waters of the Participating States in the Black Sea and beyond these territorial waters, when relevant, as well as to naval bases or auxiliary naval bases in the Black Sea.

LANGUAGE

(33) In implementation of this Document English will be the working language.

COMMUNICATION

(34) The diplomatic channels and/or the appropriate naval forces points of contacts will be used for the transmission of messages relating to this Document.

CONSULTATIONS

(35) Consultations will be held as a rule annually to discuss the implementation of this Document as well as to consider proposed amendments if any. These consultations will be chaired on a rotational basis in English alphabetical order.

Decisions on possible amendments to the Document will be taken by consensus.

This Document was elaborated during the negotiations, which were held on the basis of Guidelines for the Conduct of Negotiations on Confidence- and Security-Building Measures in the Naval Field in the Black Sea from June 23 1998 through November 1 2001.

This Document was adopted in Kyiv on 25 of April 2002 in the Bulgarian, Georgian, Romanian, Russian, Turkish, Ukrainian and English languages and will be implemented starting with 1 January 2003.

The English language text will be the reference text.